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*Attorneys for the United States*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Jeanette Teal, Individually and as heir and  
as Administratrix of the Estate of Everett  
Teal (deceased) and Russell Teal,  
Individually and as heir,

Plaintiffs,

v.

The United States of America,  
Defendant.

Case No.: 2:19-cv-00263-MMD-VCF

**Stipulation For Extension of Time to  
File Answer to Plaintiff's Complaint  
(Second Request)**

Pursuant to Local Rule IA 6-1, Defendant United States of America requests a 45-day extension of time to file an answer or otherwise respond to Plaintiff's Complaint. (ECF No. 1). Based on the date of service of the summons and complaint on the United States, the answer or other response was due by May 28, 2019. The parties stipulated to an extension for Defendant to file an answer or other response by June 27, 2019. *See* ECF No. 8. With this extension, the new deadline to answer or otherwise respond would be August 12, 2019. This is the United States' second request for extension and, there is good cause for the request.

This is a wrongful death claim brought under the Federal Tort Claims Act ("FTCA"). Plaintiff alleges that a VA doctor erroneously gave the shingles vaccination to the decedent, which eventually caused decedent's death. Given the nature of this action,

1 counsel for the United States must review the decedent's medical records before responding  
2 to the allegations in the Complaint. Counsel for the United States continue to make efforts  
3 to obtain the medical records, but is still awaiting a complete set of records from the VA.  
4 The United States expects that he will be able to obtain the medical records and to answer  
5 or otherwise respond to the Complaint within 45 days. Counsel for the United States has  
6 discussed this matter with counsel for Plaintiff. The parties agree to the proposed 45-day  
7 extension.

8 **WHEREFORE**, the United States respectfully requests that this stipulation be  
9 granted and that the answer or other response be made due by **August 12, 2019**.

10 Respectfully submitted this 27th day of June 2019.

11 THE GAGE LAW FIRM, PLLC

12 /s/ David O. Creasy

13 DAVID O. CREASY

14 ONE Summerlin

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16 Las Vegas, Nevada 89135

17 *Attorneys for Plaintiffs*

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United States Attorney

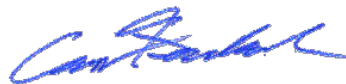
/s/ Brian W. Irvin

BRIAN W. IRVIN

Assistant United States Attorney

*Attorneys for the United States*

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21 **IT IS SO ORDERED:**

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UNITED STATES MAGISTRATE JUDGE

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26 **DATED:** July 11, 2019